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February 13, 2023

VIA ECF

Mary C. Loewenguth, Clerk of Court
United States District Court for the Western District of New York
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, NY 14202

**Re: *City of Buffalo v. Smith & Wesson Brands, Inc., et al.*, No. 1:23-cv-66-LJV
City of Rochester v. Smith & Wesson Brands, Inc., et al., No. 6:23-cv-6061-FPG**

Dear Ms. Loewenguth:

We are serving as liaison counsel for the defendants in the captioned cases. We write pursuant to Local Civil Rule 5.1(e) to advise that the above cases are related.

On December 20, 2022, the City of Buffalo filed its complaint in the Supreme Court of the State of New York, County of Erie. On December 21, 2022, the City of Rochester filed its complaint in the Supreme Court of the State of New York, County of Monroe. Certain defendants removed the Buffalo case to this Court on January 23, 2023, where it was assigned to Judge Vilardo. Those same defendants removed the Rochester case to this Court on January 24, 2023, where it was assigned to Judge Geraci. Due to an oversight, the Rochester case was not identified as being related to the Buffalo case on the civil cover sheet.

Buffalo and Rochester are represented by the same attorneys, who have advised that they currently intend to file motions to remand both cases. Judge Vilardo and Judge Geraci have each entered separate orders extending the deadline for the served defendants to respond to the complaint until thirty days after plaintiffs' forthcoming motions to remand have been decided.

The complaints in the Buffalo and Rochester case raise the same causes of action against the same defendants (there is an additional defendant in the Rochester case that is not named in the Buffalo case). Both complaints allege that defendants, federally licensed manufacturers, wholesale distributors, and retail dealers of firearms, and sellers of 80% frames/receivers, are responsible for the creation of a public nuisance based on the criminal misuse of firearms. Many of the paragraphs in the complaints are identical.

The issues to be raised in plaintiffs' forthcoming motions to remand, as well as eventual motions to dismiss by defendants, are identical. For the above reasons, defendants respectfully notify the Court that the above cases are related for purposes of Civil Rule 5.1(e) and should be

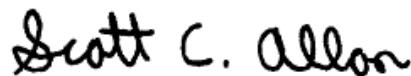
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assigned to the same judge for purposes of judicial efficiency and to avoid the potential for conflicting decisions on almost identical motions filed in each case.

Thank you for your attention to this matter.

Respectfully submitted,

RENZULLI LAW FIRM, LLP



Scott C. Allan

cc: All counsel of record via ECF